

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; et al

PLAINTIFFS

v.

Civ. No. 3:17cv347-WHB-LRA

MADISON COUNTY, MISSISSIPPI; et al

DEFENDANTS

UNOPPOSED MOTION FOR SCHEDULING ORDER

Defendants respectfully submit this Unopposed Motion for scheduling order regarding the briefing schedule for Plaintiffs' Motion to Exclude the Report and Testimony of William Funderburk [ECF No. 307], filed July 2, 2018. In support of this Motion, Defendants submit the following:

1. On February 27, 2018, the Court entered a Stipulated Scheduling Order (the "February 27 Order") [ECF No. 202] establishing a briefing schedule for class certification.
2. On March 13, 2018, Plaintiffs filed their Motion for Certification [ECF No. 231] and Defendants filed their Motion to Deny Certification. [ECF No. 237]
3. On May 8, 2018, Defendants filed their Response in Opposition to Class Certification [ECF No. 231] and related evidentiary motions. Plaintiffs filed their Response in Opposition to Defendants' Motion to Deny Certification. [ECF No. 265]
4. On May 18, 2018, the Court entered a second Stipulated Scheduling Order establishing briefing schedules for motions not specifically addressed in the February 27 Order. [ECF No. 288]
5. On July 2, 2018, Plaintiffs filed their Response in Further Support of Class Certification and their last remaining responses in opposition to Defendants' evidentiary motions.

This same day Plaintiffs filed a Motion to Exclude the Report and Testimony of William R. Funderburk. [ECF No. 307]

6. Defendants requested, and Plaintiffs agreed, to extend the deadline for response and rebuttal periods related to the Motion to Exclude William R. Funderburk.

7. Pursuant to that agreement, Defendants response to Plaintiffs' Motions to Exclude William R. Funderburk shall be due on July 30, 2018. The Parties further agree that Plaintiffs' rebuttal with respect to that Motion shall be due on August 17, 2018.

8. Defendants now submit that good cause exists for entry of the Agreed Stipulated Scheduling Order, reflecting the foregoing agreement, in the form attached hereto as **Exhibit 1**. Defendants respectfully request that the Court approve and enter this Agreed Scheduling Order as an Order of the Court.

May 17, 2018

**MADISON COUNTY, MISSISSIPPI and
SHERIFF RANDALL C. TUCKER, IN
HIS OFFICIAL CAPACITY**

BY: /s/ Russ Nobile
T. Russell Nobile (MSB #100682)
WISE CARTER CHILD & CARAWAY, P.A.
2510 14th Street, Suite 1125
Gulfport, Mississippi 39501
Telephone: 228-867-7141
Facsimile: 228-867-7142
trn@wisecarter.com

and

Michael B. Wallace (MSB #6904)
Charles E. Ross (MSB #5683)
James E. Graves (MSB #102252)
Charles E. Cowan (MSB #104478)

WISE CARTER CHILD & CARAWAY, P.A.
Post Office Box 651
Jackson, Mississippi 39205-0651
Telephone: 601-968-5534
Facsimile: 601- 944-7738
mbw@wisecarter.com
cer@wisecarter.com
jeg@wisecarter.com
cec@wisecarter.com

OF COUNSEL:

Rebecca B. Cowan (MSB #7735)
CURRIE JOHNSON & MYERS, P.A.
1044 River Oaks Dr.
Jackson, Mississippi 39232
P.O. Box 750
Jackson, Mississippi 39205-0750
Telephone: 601-969-1010
Facsimile: 601-969-5120
bcowan@curriejohnson.com

Katie Bryant Snell (MSB# 103607)
KATIE BRYANT SNELL, PLLC
P.O. Box 3007
Madison, Mississippi 39130-3007
Telephone: 601-460-9800
katie@katiebryantsnell.com

J. Lawson Hester
Jason Edward Dare
PETTIS, BARFIELD & HESTER, P.A.
4450 Old Canton Road, Suite 210
Jackson, Mississippi 39211
Telephone: 601-987-5300
lhester@pbhfirm.com
jdare@pbhfirm.com

CERTIFICATE OF SERVICE

I, T. Russell Nobile, hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following:

Joshua Tom, Esq.
Paloma Wu, Esq.
American Civil Liberties Union of Mississippi Foundation
233 E. Capitol Street
Jackson, MS 39201
JTom@aclu-ms.org
PWu@aclu-ms.org

Jonathan K. Youngwood, Esq. (*pro hac vice*)
Janet A. Gochman, Esq. (*pro hac vice*)
Isaac Rethy, Esq. (*pro hac vice*)
Nihara K. Choudhri, Esq. (*pro hac vice*)
Kavitha Satya Sivashanker, Esq. (*pro hac vice*)
Brooke Jarrett, Esq. (*pro hac vice*)
Jumin Lee, Esq. (*pro hac vice*)
Christopher K. Shields, Esq. (*pro hac vice*)
Simpson Thatcher & Bartlett, LLP
425 Lexington Avenue
New York, NY 10017
jyoungwood@stblaw.com
jgochman@stblaw.com
irethy@stblaw.com
nchoudhri@stblaw.com
kavitha.sivashanker@stblaw.com
bonnie.jarrett@stblaw.com
christopherjumin.lee@stblaw.com
christopher.shields@stblaw.com

Ezekiel Edwards, Esq. (*pro hac vice*)
Jeffery Robinson, Esq. (*pro hac vice*)
American Civil Liberties Union Foundation
125 Broad Street
New York, NY 10004
eedwards@aclu.org
jrobinson@aclu.org

July 15, 2018

/s/ T. Russell Nobile

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LATOYA BROWN; et al

PLAINTIFFS

v.

Civ. No. 3:17cv347-WHB-LRA

MADISON COUNTY, MISSISSIPPI; et al

DEFENDANTS

**AGREED SCHEDULING ORDER REGARDING
MOTION TO EXCLUDE WILLIAM R. FUNDERBURK**

Defendants respectfully submit this Agreed Scheduling Order memorializing the terms of the Parties' agreement related to Plaintiffs' Motion to Exclude William R. Funderburk [ECF No. 307]. Subject to the approval of the Court, the following schedule shall apply with respect to that Motion:

1. The deadline for Defendants to respond to Plaintiffs' Motion to Exclude William R. Funderburk [ECF No. 307] shall be **July 30, 2018**. The deadline for Plaintiffs' rebuttal or response in further support with respect to that same Motion shall be **August 17, 2018**.

2. Except as set forth herein, all other scheduling orders in this Action remain in full effect.

So Ordered, this the _____ day of _____.

District Judge William H. Barbour, Jr